

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

CHUN KIM, ADMINISTRATRIX OF THE
ESTATE OF PYONG TOK LEE,
DECEASED,

Plaintiff,

v.

Civil Action No. 2:22-cv-00166

NEELKUMAR PATEL

AND

KK CARRIERS SERVICES, LLC,

Defendants.

ANSWER

Defendant Neelkumar Patel, by counsel, states as follows for his answer to the Complaint filed by Plaintiff Chun Kim, Administratrix of the Estate of Pyong Tok Lee, Deceased.

1. In response to the allegations in Paragraph 1 of the Complaint, Defendant states that on November 6, 2021, Pyong Tok Lee operated his vehicle on eastbound Route 58 at or near its intersection with Snowden Street in the City of Chesapeake, Virginia. All allegations not specifically admitted herein are denied.

2. In response to the allegations in Paragraph 2 of the Complaint, Defendant states that he operated a tractor trailer on northbound Snowden Street with the intention of taking a left turn onto westbound Route 58 in the City of Chesapeake, Virginia. All allegations not specifically admitted herein are denied.

3. Defendant denies the allegations in Paragraph 3 of the Complaint.

4. Defendant admits the allegations in Paragraph 4 of the Complaint.

5. The allegations in Paragraph 5 of the Complaint are not directed at this Defendant and therefore no response is required. To the extent a response is required, Defendant admits the allegations in Paragraph 5 of the Complaint.

6. Defendant denies the allegations in Paragraph 6 of the Complaint.

7. Defendant is without sufficient knowledge to either admit or deny the allegations in Paragraph 7 of the Complaint.

8. Defendant is without sufficient knowledge to either admit or deny the allegations in Paragraph 8 of the Complaint, including subparagraphs (a) through (d).

9. Defendant denies the allegations in Paragraph 9 of the Complaint, including subparagraphs (a) through (e).

10. Defendant denies the allegations in the WHEREFORE paragraph of the Complaint.

11. All allegations not specifically admitted herein are denied.

12. Defendant denies that he is liable to the Plaintiff in any amount for any cause whatsoever.

13. Defendant denies that Plaintiff has been damaged in the amount or to the extent alleged in the Complaint.

14. Defendant avers that Plaintiff's decedent was negligent in the operation of his vehicle at the time of the alleged accident.

15. Defendant avers that Plaintiff's decedent assumed the risk of injury at the time of the alleged accident.

16. Defendant avers that he intends to rely upon the affirmative defense of contributory negligence.

17. Defendant reserves the right to amend this Answer to the extent such amendment is supported by further investigation, discovery, or the presentation of evidence.

WHEREFORE Defendant Neelkumar Patel, by counsel, respectfully requests that the Court dismiss Plaintiff's Complaint with prejudice and award him all costs associated with the defense of this matter.

NEELKUMAR PATEL

By Counsel

/s/

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C E R T I F I C A T E

I hereby certify that on the 26th day of April, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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